

MACOMB TOWNSHIP BOARD MEETING MINUTES
REGULAR MEETING HELD ON WEDNESDAY, JANUARY 23, 2002
AT 7:00 P.M.

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
19925 TWENTY-THREE MILE ROAD
MACOMB, MICHIGAN 48042

PRESENT: JOHN D. BRENNAN, SUPERVISOR
NORMAN J. SNAY, CLERK
MARIE E. MALBURG, TREASURER
TRUSTEES: DINO F. BUCCI, JR.
JANET DUNN
KENNETH MEERSCHAERT, JR.
CHARLES OLIVER

Also in attendance: Lawrence Dloski, Township Attorney
Jim VanTiflen, Township Engineer
(Additional attendance record on file with Clerk)

ABSENT: None

CALL MEETING TO ORDER

Clerk SNAY called the meeting to order at 7:00 P.M.

1. ROLL CALL.

Clerk SNAY called roll. All present.

2. PLEDGE OF ALLEGIANCE.

3. APPROVAL OF AGENDA ITEMS (with any addendum's)

Additions:

- 19b. Renewal of the MML (Michigan Municipal League) Liability and Property Pool.
- 19c. Request for Temporary Employee; Parks and Recreation Department.

Tabled:

- 8. Rezoning Request; Permanent Parcel No. 08-20-426-012; As requested by the Petitioner; GTR Builders.

MOTION by MEERSCHAERT seconded by MALBURG to approve agenda as amended.

MOTION carried.

4. APPROVAL OF BILLS.

MOTION by DUNN seconded by SNAY to authorize payment of bills as submitted.

5. APPROVAL OF MEETING MINUTES.

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MOTION by OLIVER seconded by MALBURG to approve the minutes of January 9, 2002 as presented.

6. DEPARTMENT MONTHLY REPORTS

- A. Macomb County Sheriffs Department.
- B. Building Department
- C. Fire Department
- D. Water/Sewer Department
- E. Parks and Recreation Department

MOTION by DUNN seconded by OLIVER to receive/file and approve the Department Monthly Reports as a consent agenda.

MOTION carried.

7. PUBLIC COMMENTS

None

PLANNING COMMISSION:

- 8. Rezoning Request; (R-1) Residential Urban One Family to (O-1) Office Low Rise; Located east of Romeo Plank and approximately 600 feet north of 22 Mile Road; Section 20. GTR Builders, Petitioner. Permanent Parcel No. 08-20-426-012.

Tabled to the meeting of February 13, 2002, as requested by the petitioner.

NEW BUSINESS:

- 9. Request to adopt Resolutions 1 & 2; 23 Mile Road Sanitary Sewer MA 082-S.

Supervisor BRENNAN reviewed the request.

Clerk Snay stated his recommendation to schedule the public hearing for Wednesday, February 27th, 2002 at 7:00 p.m.

MOTION by OLIVER seconded by DUNN to adopt Resolution No.2 to schedule the Public Hearing for the 23 Mile Road Sanitary Sewer MA 082-S for Wednesday, February 27th, 2002 at 7:00 p.m.

MOTION carried.

SDA - MA082-S
23 Mile Road Sanitary Sewer

RESOLUTION NO. 2

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AT 7:00 P.M.

Minutes of a regular meeting of the Township Board of the Township of Macomb, County of Macomb, Michigan, held in the Township Hall in said Township on January 23, 2002 at 7:00 o'clock P.M., Eastern Daylight Saving Time.

PRESENT: John D. Brennan, Norman J. Snay, Marie Malburg, Dino F. Bucci Jr., Janet Dunn, Kenneth Meerschaert, Charles Oliver.

ABSENT: None

The following preamble and resolution were offered by Member OLIVER and supported by Member DUNN.

WHEREAS, a Petition has been filed with the Township Board signed by the record owners of lands constituting more than fifty (50%) percent of the total land area to be benefitted by the construction and installation of sanitary sewer requested by the Petitioners and more particularly described in Exhibit "A" attached hereto and expressly made a part hereof; and,

WHEREAS, the Township Board desires to proceed on the Petition pursuant to the provisions of Act 188, Public Acts of 1954, as amended.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD

OF THE TOWNSHIP OF MACOMB, MACOMB COUNTY, MICHIGAN:

1. The registered engineering firm of Spalding DeDecker & Associates Inc. in Rochester Hills, Michigan, has been requested to prepare plans showing the proposed sanitary sewer requested by the Petition, the location thereof, and estimates of costs for construction and installation thereof.
2. The engineering firm has filed said plans and estimates with the Township Board.
3. The Township Board shall meet at the Township Hall located at 19925 -23 Mile Road, Macomb Township, Michigan 48042 on February 27th, 2002, at 7:00 o'clock, P.M., Eastern Daylight Saving Time, at which time and place the Township Board shall hear objections to the Petition heretofore filed, to the improvements to be constructed and installed and the establishment of a special assessment district as proposed.
4. The Township Clerk is hereby ordered to cause notice of the hearing to be published twice prior to the hearing in the MACOMB DAILY a newspaper of general circulation in the Township, the first publication to be at least ten (10) days before the hearing, and shall cause notice to be mailed by first class mail to all owners of or

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persons in interest in property in the special assessment district as shown on the current assessment rolls of the Township at least ten (10) full days before the date of the hearing.

5. The Notice shall be in substantially the following form:

**NOTICE OF HEARING ON ESTABLISHMENT OF
SPECIAL ASSESSMENT DISTRICT FOR THE CONSTRUCTION AND
INSTALLATION OF A SANITARY SEWER BY THE TOWNSHIP OF MACOMB**

TO THE OWNERS OF THE FOLLOWING DESCRIBED PROPERTY:

All land fronting the north and south lines of 23 Mile Road at a point approximately 1,370 feet east of Card Road and extending to the eastern boundary of Macomb Township a distance of approximately 9,380 feet.

PLEASE TAKE NOTICE that a petition has been filed with the Township Board of the Township of Macomb signed by the record owners of the above described lands constituting more than fifty (50%) percent of the total land area to be benefitted by the construction and installation of a sanitary sewer proposed by the petition, and that the Township Board has tentatively declared its intention to make the improvements, particularly described as follows:

A 10-inch to 36-inch diameter sanitary sewer and appurtenances along 23 Mile Road from 1/4 mile east of Card Road to the eastern limits of Macomb Township

Plans and estimates have been prepared and are on file with the Township Clerk for public examination.

TAKE FURTHER NOTICE that the Township Board will meet on February 27, 2002, at 7:00 o'clock P.M. at the Township Hall, 19925 -23 Mile Rd, Macomb, Michigan 48042 for the purpose of hearing any objections to the petition, the construction and installation of a sanitary sewer and the creation of a special assessment district therefor.

Norman J. Snay
Macomb Township Clerk

FIRST PUBLICATION: February 9, 2002

SECOND PUBLICATION: February 14, 2002

6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

AYES: Members: OLIVER, DUNN, MEERSCHAERT, BUCCI, MALBURG, SNAY, BRENNAN.

NAYS: Members: NONE

RESOLUTION DECLARED ADOPTED.

Norman J. Snay
Macomb Township Clerk

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Larry Dloski, Township Attorney, stated that Resolution No.1 needs to be adopted in order to direct the Township Engineers to prepare and file the plans for the project as well as resolution No.2 which establishes the public hearing date.

MOTION by OLIVER seconded by MEERSCHAERT to adopt Resolution No.1 for the 23 Mile Road Sanitary Sewer; MA 082-S; to direct the Township Engineers to prepare and file the plans for the project.

MOTION carried.

RESOLUTION NO. 1

Minutes of a regular meeting of the Township Board of the Township of Macomb, County of Macomb, Michigan, held in the Township Hall in said Township on January 23, 2002 at 7:00 o'clock P.M., Eastern Daylight Saving Time.

PRESENT: John D. Brennan, Norman J. Snay, Marie Malburg, Dino F. Bucci Jr., Janet Dunn, Kenneth Meerschaert, Charles Oliver,

ABSENT: None

The following preamble and resolution were offered by Member OLIVER and supported by Member MEERSCHAERT.

WHEREAS, a Petition has been filed with the Township Board signed by the record owners of lands constituting more than fifty (50%) percent of the total land area to be benefited by the construction and installation of a sanitary sewer requested by the Petitioners and more particularly described in Exhibit "A" attached hereto and expressly made a part hereof; and,

WHEREAS, the Township Board desires to proceed with the Petition pursuant to the provisions of Act 188, Public Acts of Michigan, 1954, as amended.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD
OF THE TOWNSHIP OF MACOMB, MACOMB COUNTY, MICHIGAN:**

1. The registered engineering firm of Spalding, DeDecker & Associates, Inc. of Rochester Hills, Michigan, is hereby ordered to prepare plans and specifications showing the sanitary sewer improvements requested by the petition, the location thereof, and an estimate of cost for the construction and installation thereof.

2. When the plans and estimates are completed, the engineering firm shall file the same with the Township Board.

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3. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

AYES: Members: OLIVER, MEERSCHAERT, BUCCI, DUNN, MALBURG, SNAY, BRENNAN.

NAYS: Members: NONE

RESOLUTION DECLARED ADOPTED.

Norman J. Snay
Macomb Township Clerk

10. Temporary Certificate of Occupancy; Imperial Cabinet Mfg. Inc.; Located north of 23 Mile Road and approximately 2400 feet west of Romeo Plank Road; Section 17. Imperial Cabinets Mfg. Inc., Petitioner.

Supervisor BRENNAN reviewed the request and stated that the Township Departments have submitted current recommendations with numerous objections stated from the Township Engineers and Building Department.

Dennis LeMieux, Assistant Building Official, reviewed site improvements and a code violation that needs to be addressed. Mr. LeMieux stated his recommendation to deny the request at this time.

Mr. Brennan stated his recommendation to table this matter to allow additional time for site improvements.

Petitioner Present: Mr. Vincent Palazzolo of Imperial Cabinets

Public Portion: None

MOTION by DUNN seconded by OLIVER to follow the recommendation of the Supervisor and table this matter to the meeting of February 13, 2002.

MOTION carried.

FIRE DEPARTMENT:

11. Request permission to conduct Feasibility Study for Third Station.

Raymond Ahonen, Fire Chief, reviewed the request.

Board discussion was held regarding who would do the study and how long it would take to complete.

Chief Ahonen stated that the study would be done internally.

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Public Portion: None

MOTION by OLIVER seconded by DUNN to move forward and authorize a Feasibility Study for a Third Station.

MOTION carried.

12. Request for Captain Dave Myny to attend Conference.

Raymond Ahonen, Fire Chief, reviewed the request and stated the conference would provide 12 required continual education credits toward stated certification.

Public Portion: None

MOTION by DUNN seconded by MALBURG to grant permission for Captain David Myny to attend the Winter Education Conference for the total cost of two hundred twenty seven dollars and 95/100 (\$227.95) plus meals and mileage.

MOTION carried.

13. Request to seek bids for new Copy Machine for Station No.2.

Raymond Ahonen, Fire Chief, reviewed the request and stated that the current machine is 10 years old.

Public Portion: None

MOTION by DUNN seconded by OLIVER to grant permission to seek bids for a new copy machine for Fire Station No.2.

MOTION carried.

WATER/SEWER DEPARTMENT:

14. Request to replace Township Water/Sewer Vehicles.

David Koss, Water/Sewer Superintendent, reviewed the request and bids to replace a current vehicle and purchase an additional vehicle for the department.

Public Portion: None

MOTION by SNAY seconded by OLIVER to approve the request as submitted to purchase two (2) 2002 4x4 GMC Pickups through the Oakland County Purchasing Department for the total cost of nineteen thousand five hundred and one dollars and 00/100 (\$19,501.00) per vehicle.

MOTION carried.

David Koss, Water/Sewer Superintendent, asked the Board permission to sell the vehicle being replaced.

Public Portion: None

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MOTION by OLIVER seconded by MALBURG to authorize putting up the Water/Sewer Department 1994 Ford Pickup being replaced for sale in “as is condition”.

MOTION carried.

15. Request to purchase Portable Radio's.

David Koss, Water/Sewer Superintendent, reviewed the request.

Board discussion was held regarding the number of radio's currently being provided to the Water/Sewer Department employees and the importance of all the field employees having one.

Public Portion: None

MOTION by OLIVER seconded by DUNN to authorize the purchase of two (2) Motorola EX500 4w Portable Radios with accessories and warranty from Mobile Communications for the total cost of one thousand nine hundred twenty three dollars and 00/100 (\$1,923.00).

MOTION carried.

16. Award of Bid; Card Road Sanitary Sewer (North of 23 Mile Road).

David Koss, Water/Sewer Superintendent, reviewed the request and stated his recommendation as approved by the Township Engineers, to award the bid to the lowest bidder of Dan's Excavating, Inc.

Public Portion: None

MOTION by DUNN seconded by OLIVER to award the Card Road Sanitary Sewer (North of 23 Mile Road) MA 99-33; bid to Dan's Excavating, Inc. of Shelby Twp. for the submitted bid amount of five hundred seventy six thousand seven hundred ninety one dollars and 00/100 (\$576,791.00).

MOTION carried.

17. Approval of Change Order No.1, 22 Mile/Waldenburg Sanitary Sewer, MA 98-19; Lanzo Construction.

David Koss, Water/Sewer Superintendent, reviewed the request and stated the change order is the result of field conditions differed from record information and weather related delays.

Public Portion: None

MOTION by DUNN seconded by MALBURG to approve Change Order No.1, 22 Mile/Waldenburg Sanitary Sewer, MA 98-19; Lanzo Construction, in the amount of nine hundred eighty one dollars and 01/100 (\$981.01).

MOTION carried.

18. Approval of Pay Certificate No.3, 22 Mile/Waldenburg Sanitary Sewer; MA 98-19, Lanzo Construction.

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David Koss, Water/Sewer Superintendent, stated his office and the Township Engineers of Spalding DeDecker & Assoc. had reviewed the pay certificate and were recommending approval for this payment.

Public Portion: None

MOTION by OLIVER seconded by SNAY to authorize the payment of Pay Certificate No.3; 22 Mile/Waldenburg Sanitary Sewer; MA 98-19; Lanzo Construction, in the amount of one hundred forty five thousand five hundred ninety one dollars and 81/100 (\$145,591.81).

MOTION carried.

BOARD COMMENTS:

- 19. Supervisor's Comments
 - a. Request for Employee Medical Leave Act.

Supervisor BRENNAN reviewed the request.

Board discussion was held regarding the employee's contribution in the continuation of enhanced medical benefits costs.

MOTION by DUNN seconded by OLIVER to grant the FMLA (Family Medical Leave Act) request as submitted for Tracy Shanley, Parks and Recreation Program Coordinator.

MOTION carried.

- 19b. Renewal of the MML (Michigan Municipal League) Liability and Property Pool.

Supervisor BRENNAN reviewed the coverage and premium breakdown submitted to the Board.

Public Portion: None

MOTION by DUNN seconded by MALBURG to renew the Michigan Municipal League (MML) Liability and Property Pool at the presented rate.

MOTION carried.

- 19c. Request for Temporary Employee; Parks and Recreation Department.

Supervisor BRENNAN reviewed the request and recommendation submitted by Martin Piepenbrok, Parks and Recreation Director.

Public Portion: None

MOTION by SNAY seconded by MEERSCHART to approve the request as presented to hire a temporary part time employee for the Parks and Recreation Department.

MOTION carried.

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20. Clerk's Comments

Clerk SNAY informed the Board and audience that as of February 28th, 2002, he will be resigning from his position as Macomb Township Clerk. Mr. Snay reviewed his many years of service within the community and extended his appreciation and admiration for the Sheriffs, Water/Sewer and Fire Department for there dedication to the community.

Supervisor BRENNAN reviewed Clerk SNAY'S many years of service to the community and the tremendous impact he has made to Macomb Township.

21. Treasurer's Comments

None

22. Trustee's Comments

Trustee OLIVER expressed his congratulations to Clerk SNAY.

Trustee MEERSCHAERT stated that since September 11th we have heard about people being hero's, and as soon as the media reports of the things that Norm has done for the community, it will be understood that this is the kind of guy that is a hero for all of us. Trustee MEERSCHAERT expressed his appreciation to Clerk SNAY and wished him "Good Luck".

ADJOURNMENT

MOTION by MEERSCHAERT seconded by OLIVER to adjourn the meeting at 7:45 p.m.

MOTION carried.

Respectfully submitted,

John D. Brennan, Supervisor

Norman J. Snay, Clerk

Eva M. Mayer, Recording Secretary

NJS/emm